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# Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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## Comprehensive Nuclear-Test-Ban Treaty

### Working paper submitted by the members of the Non-Proliferation and Disarmament Initiative (Australia, Canada, Chile, Germany, Japan, Mexico, the Netherlands, Nigeria, the Philippines, Poland, Turkey and the United Arab Emirates)

1. We, the members of the Non-Proliferation and Disarmament Initiative, a diverse cross-regional grouping of non-nuclear-weapon States, reaffirm our strong commitment to strengthening the nuclear test ban regime, including the entry into force of the Comprehensive Nuclear-Test-Ban Treaty at the earliest possible date, as well as to advancing global nuclear non-proliferation and disarmament. We express our strong concern that the Treaty still has not entered into force after 20 years.

2. The 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons emphasized in its action plan the urgency of the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (see NPT/CONF.2010/50 (Vol. I), actions 10-14). That principle was stressed also at the 2000 Review Conference (see NPT/CONF.2000/28 (Parts I and II)), the Final Declaration of the 2015 Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, the 2016 Joint Ministerial Statement of the Friends of the Comprehensive Nuclear-Test-Ban Treaty and General Assembly resolution 71/86.

#### Importance of the Comprehensive Nuclear-Test-Ban Treaty and its verification regime

3. The Comprehensive Nuclear-Test-Ban Treaty is intrinsically linked to the goals and objectives of the Non-Proliferation Treaty and in this regard is an invaluable component of the nuclear disarmament and non-proliferation regime. Conclusion of negotiations on the Comprehensive Nuclear-Test-Ban Treaty was an integral part of the indefinite extension of the Non-Proliferation Treaty in 1995. The early entry into force of the Comprehensive Nuclear-Test-Ban Treaty was identified as the first of 13 practical steps for the systematic and progressive efforts to implement article VI of the Non-Proliferation Treaty and paragraphs 3 and 4 (c) of the 1995 decision entitled "Principles and objectives for nuclear non-proliferation and disarmament", agreed by the Review Conference in 2000. Additionally, the

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basic obligations under article I of the Comprehensive Nuclear-Test-Ban Treaty represent the contemporary standard by which the provisions of article V of the Non-Proliferation Treaty, on the peaceful applications of any nuclear explosions, will now be interpreted.

4. The Non-Proliferation and Disarmament Initiative sees nuclear disarmament and non-proliferation as mutually reinforcing processes. The Comprehensive Nuclear-Test-Ban Treaty advances both. A permanent and legally binding commitment to end nuclear weapons testing and all other nuclear explosions is in the overwhelming interests of all countries. The obligations under the Treaty contribute to the limitation of the vertical and horizontal proliferation of nuclear weapons. The Treaty helps to constrain those States intent on developing a nuclear capability and inhibit the development of more advanced forms of nuclear weapons by the nuclear weapon States and other States possessing nuclear weapons. As such, we regard the Treaty to be a core element of the international nuclear disarmament and non-proliferation regime and its entry into force as a major contribution to international peace and security.

5. The widespread condemnation that has followed nuclear tests since the negotiation of the Treaty, demonstrated most recently by the response to the test conducted by the Democratic People's Republic of Korea on 9 September 2016, is testament to the normative strength of the Treaty's provisions. Together with the existing global de facto moratorium on nuclear test explosions, the Treaty has proved to be beneficial to nuclear disarmament and non-proliferation by stigmatizing nuclear test explosions. However, this is not a substitute for a permanent and legally binding commitment to end nuclear weapon testing and all other nuclear explosions, which can be achieved only by the entry into force of the Treaty. Entry into force of the Treaty is also a prerequisite for the powerful tool of the on-site inspections as the final verification measure to verify compliance by States with the Treaty. The Comprehensive Nuclear-Test-Ban Treaty was intended to be a key cornerstone treaty 20 years ago to support the Non-Proliferation Treaty, as it would ban nuclear testing once and for all after entering into force. Encouraging all States to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty would also serve as a confidence-building measure within the context of the broader nuclear non-proliferation agenda. The ultimate goal is to achieve universalization of the Treaty. We therefore reiterate the urgent call to the eight remaining Annex 2 States and all other States to sign and ratify the Treaty without further delay, and to all countries to add to the pressure, as this would strengthen the norm of universality for the Treaty.

6. Continuing with the development of the Treaty's verification regime is vital to the effectiveness of the Treaty. For the past 20 years, the Treaty and its world-class verification system have underpinned the global norm against nuclear testing. This includes the International Monitoring System, the International Data Centre and the preparedness of the Comprehensive Nuclear-Test-Ban Treaty Organization to conduct on-site inspections, as well as the development of verification-related technical capacity in States. The International Monitoring System, which is at the core of the verification regime, is capable of accurately detecting and identifying explosions larger than 1 kiloton worldwide, in the atmosphere, underwater or underground, and has already proved its effectiveness by detecting nuclear tests by the Democratic People's Republic of Korea. The success of the Comprehensive Nuclear-Test-Ban Treaty Organization system in detecting that country's nuclear tests highlighted the capabilities and effectiveness of the verification regime and proved its value to global nuclear disarmament and non-proliferation, and underlined the significance of the Treaty. Additionally, data from the International Monitoring System have important civil and scientific benefits, especially in the

context of natural disasters and other emergency situations, such as tsunami alerts and possibly other disaster alerts, and also in providing unique sets of data for scientific study. We encourage States that have not yet done so to complete the International Monitoring System stations in their territories and send data to the International Data Centre as soon as possible and, furthermore, encourage States that have not yet joined the Comprehensive Nuclear-Test-Ban Treaty to support the International Monitoring System and the International Data Centre. We also recognize the importance of capacity-building and the sharing of relevant expertise on the verification regime.

7. The International Monitoring System, consisting of 321 monitoring stations and 16 laboratories built in 89 countries worldwide, is currently 85 per cent complete.

8. Confidence in the ability of the verification regime to meet the requirements of the Treaty is fundamental to the success of the Treaty, as it gives States the assurance of adherence to the test ban. In this regard, further international cooperation in the development of the regime should be encouraged.

**Status of the Comprehensive Nuclear-Test-Ban Treaty**

9. We welcome the recent ratifications by Angola, Myanmar and Swaziland. The Comprehensive Nuclear-Test-Ban Treaty has now been signed by 183 States, of which 166 States have ratified the Treaty.

10. Ratification by the eight remaining Annex 2 States — China, the Democratic People's Republic of Korea, Egypt, India, Iran (Islamic Republic of), Israel, Pakistan and the United States of America — is of paramount importance and is required for the Treaty to enter into force. There is also a small number of non-Annex 2 States that have yet to ratify the Treaty.

11. The Non-Proliferation and Disarmament Initiative fully supports the Article XIV process and the biennial ministerial meetings of the Friends of the Comprehensive Nuclear-Test-Ban Treaty aimed at facilitating the early entry into force of the Treaty, and is committed to the declarations issued at Article XIV Conferences and the joint ministerial statements on the Treaty.

**Promotion of the entry into force of the Comprehensive Nuclear-Test-Ban Treaty**

**The review cycle of 2020 should:**

12. Urge all States that have yet to ratify the Treaty to do so without delay, in particular the remaining eight Annex 2 States. Annex 2 States should ratify the Treaty without waiting for other States to do so first and thus contribute to building mutual trust. In order to support defusing regional tensions, regionally coordinated ratifications could also be considered. In this regard, we would welcome opportunities to engage with the non-signatory States, in particular Annex 2 States. We would therefore like to encourage these States to participate in future sessions of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization as observers. Entry into force of the Treaty is an achievable, essential step towards global disarmament that can and should take place without delay.

13. Reiterate that nuclear-weapon States have a particular responsibility, as agreed in action 10 of the action plan, to encourage ratification of the Treaty and call upon them to take the initiative in this regard. Ratification by nuclear-weapon States that have not yet done so would provide further impetus towards the entry into force of the Treaty.

14. Further to action 11, call on all States to acknowledge and continue the global de facto moratorium on nuclear weapon test explosions and any other nuclear explosions and refrain from any action that would undermine the Treaty's object and purpose.

15. In accordance with action 14, encourage all States parties to the Non-Proliferation Treaty to assist the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in its work in anticipation of and preparation for the entry into force of the Comprehensive Nuclear-Test-Ban Treaty. This includes the early completion and provisional operation of the International Monitoring System and the International Data Centre, which serve as effective, reliable, participatory and non-discriminatory elements of the verification system globally and help to provide assurance of compliance with the Treaty. They also promote capacity-building and the sharing of relevant expertise on the verification regime, as well as raise awareness of the important role that the Treaty plays.